

ATTACHMENT 33

EXHIBIT 24

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CISCO SYSTEMS, INC.,

Plaintiff,

vs.

ARISTA NETWORKS, INC.,

Defendant.

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)Case No.:

)5:14-cv-05344-BLF

)(PSG)

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VIDEOTAPED DEPOSITION OF PRADEEP KUMAR KATHAIL

Palo Alto, California

Friday, May 27, 2016

Volume 1

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Reported by:

RACHEL FERRIER, CSR No. 6948

Job No. 2307792

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<p>1 UNITED STATES DISTRICT COURT 2 NORTHERN DISTRICT OF CALIFORNIA 3 SAN JOSE DIVISION 4 _____ 5) 6 CISCO SYSTEMS, INC.,) 7) 8 Plaintiff,) 9) 10 vs.)Case No.: 11)5:14-cv-05344-BLF 12 ARISTA NETWORKS, INC.,)(PSG) 13) 14 Defendant.) 15 _____ 16 17 18 19 20 21 22 23 24 25</p> <p>VIDEOTAPED DEPOSITION OF PRADEEP KUMAR KATHAIL, VOLUME 1, taken on behalf of the Defendant, at Wilson Sonsini Goodrich & Rosati, Palo Alto, 601 California Avenue, California, beginning at 9:27 a.m. and ending at 3:39 p.m. on Friday, May 27, 2016, before RACHEL FERRIER, Certified Shorthand Reporter No. 6948.</p>	<p>1 APPEARANCES (continued): 2 3 For Defendant: 4 KEKER & VAN NEST 5 BY: DAVID J. SILBERT 6 Attorney at Law 7 633 Battery Street 8 San Francisco, California 94111 9 415.676.2261 10 dsilbert@kvn.com 11 12 For Defendant: 13 WILSON SONSINI GOODRICH & ROSATI 14 BY: BEN LABOW 15 Attorney at Law 16 One Market Plaza 17 Spear Tower, Suite 3300 18 San Francisco, California 94105 19 415.947.2077 20 blabow@wsgr.com 21 22 23 Also Present: 24 JORDAN BOCK 25</p>
<p>1 APPEARANCES: 2 3 For Plaintiff: 4 QUINN EMANUEL URQUHART & SULLIVAN LLP 5 BY: JORDAN JAFFE 6 Attorney at Law 7 50 California Street, 22nd Floor 8 San Francisco, California 94111 9 415.875.6600 10 jordanjaffe@quinnemanuel.com 11 12 And 13 KIRKLAND & ELLIS LLP 14 BY: REZA DOKHANCHY 15 Attorney at Law 16 555 California Street 17 San Francisco, California 94104 18 415.439.1469 19 reza.dokhanchy@kirkland.com 20 21 22 23 24 25</p>	<p>1 APPEARANCES (Continued): 2 3 Videographer: 4 RAMON PERAZA 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

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1	EXHIBITS			1	Palo Alto, California; Friday, May 27, 2016
2	NUMBER	DESCRIPTION	PAGE	2	9:27 a.m.
3	Exhibit 1532	E-mail string from		3	
4		Thomas Kernen to Alex		4	THE VIDEOGRAPHER: Good morning. We are on the
5		Voronin, 2/11/14		5	record at 9:27 a.m. on May 27th, 2016.
6		(Bates CSI-ANI-00083243 -		6	This is the videotaped deposition of Mr. Pradeep
7		000002)	175	7	Kathail.
8	Exhibit 1533	E-mail from Pradeep Kathail		8	My name is Ramon Peraza, here with our Court
9		to Ashok Ganesan, 6/16/14		9	Reporter, Rachel Ferrier. We are here from Veritext
10		(Bates CSI-ANI-00095779 -		10	Legal Solutions at the request of counsel for the
11		000011)	179	11	defendant.
12	Exhibit 1534	E-mail from David Ward to		12	This deposition is being held at Wilson Sonsini
13		JL Valente, 8/14/14		13	in Palo Alto.
14		(Bates CSI-CLI-04587560)	182	14	The caption of this case is Cisco Systems, Inc.,
15	Exhibit 1535	Q2 CY2014 LAN Switching		15	versus Arista Networks, Inc., Case
16		Market Share Results		16	No. 5:14-cv-05344-BLF (PSG).
17		(Bates CSI-ANI-00103803 -		17	Please note that audio and video recording will
18		000006)	191	18	take place unless all parties have agreed to go off the
19				19	record.
20				20	Microphones are sensitive and may pick up
21				21	whispers or private conversations.
22				22	At this time, Counsel, please identify yourselves
23				23	for the record and state whom you represent.
24				24	MR. SILBERT: David Silbert, Keker & Van Nest, on
25				25	behalf of defendant, Arista. Also present is Jordan
Page 10				Page 12	
1	INDEX (Continued):			1	Bock, who is a law student and summer associate at our
2				2	firm.
3	INSTRUCTION NOT TO ANSWER			3	MR. LABOW: Ben Labow from Wilson Sonsini on
4	Page	Line		4	behalf of Arista.
5	130	16		5	MR. JAFFE: Jordan Jaffe of Quinn, Emanuel on
6				6	behalf of the plaintiff, Cisco, and the witness.
7				7	MR. DOKHANCHY: Reza Dokhanchy from Kirkland &
8				8	Ellis on behalf of Cisco.
9				9	THE VIDEOGRAPHER: The Court Reporter may now
10				10	swear in the witness.
11				11	PRADEEP KUMAR KATHAIL,
12				12	having been administered an oath, was examined and
13				13	testified as follows:
14				14	EXAMINATION
15				15	BY MR. SILBERT:
16				16	Q Good morning, sir.
17				17	A Good morning.
18				18	Q Could you please state your name for the record.
19				19	A Pradeep Kumar Kathail.
20				20	Q Mr. Kathail, you have been deposed before; is
21				21	that correct?
22				22	A Yes.
23				23	Q You were deposed in the ITC proceedings between
24				24	Cisco and Arista?
25				25	A Yes.
Page 11				Page 13	

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<p>1 you came up -- you refer to a couple, makes sense and</p> <p>2 using the right words.</p> <p>3 What -- can you explain to me what criteria you</p> <p>4 used when you came up with the words to be used in a CLI</p> <p>5 command?</p> <p>6 MR. JAFFE: Objection; calls for speculation,</p> <p>7 vague.</p> <p>8 THE WITNESS: Most of the time, you want to make</p> <p>9 sure that the words are such that they are</p> <p>10 self-explanatory -- okay? -- as well as they are the</p> <p>11 terminology you are using from the networking world.</p> <p>12 BY MR. SILBERT:</p> <p>13 Q Okay. Any others criteria that come to mind?</p> <p>14 A No. Then we have the whole group which reviews</p> <p>15 them and bunch of things happen, so.</p> <p>16 MR. SILBERT: Okay. Thank you very much, sir. I</p> <p>17 have no further questions for you.</p> <p>18 THE WITNESS: Okay. Thank you.</p> <p>19 MR. JAFFE: I just have a couple quick questions.</p> <p>20 EXAMINATION</p> <p>21 BY MR. JAFFE:</p> <p>22 Q When you were just talking with Mr. Silbert about</p> <p>23 the time that you created CLI commands, you said it was</p> <p>24 a long time ago.</p> <p>25 About how long ago was it?</p> <p style="text-align: right;">Page 194</p>	<p>1 these commands -- personally, I don't remember mine, but</p> <p>2 I know that when these commands go through the review --</p> <p>3 okay? -- there's a lot of discussion goes back and</p> <p>4 forth, not only on the words but also on the syntax,</p> <p>5 what the word location is, why the word location is, and</p> <p>6 whether do we need that word or whether we can get that</p> <p>7 kind of information from previous commands which were</p> <p>8 issued, so there's a lot of discussion goes around it.</p> <p>9 Q The other question I had for you is, earlier</p> <p>10 today, this morning, you mentioned -- referring to</p> <p>11 Cisco's CLI as the gold standard, and I just wanted to</p> <p>12 ask what you meant by that?</p> <p>13 A The gold standard, meaning there is few things</p> <p>14 which our customer expects. Okay? But our -- and some</p> <p>15 of them we define -- I just described it when defining</p> <p>16 the CLI command. Okay? Some of those things are that,</p> <p>17 through the CLI, you are not asking repeatedly the same</p> <p>18 information which I have given you in the previous</p> <p>19 command, just as an example. Okay?</p> <p>20 The other thing is that the CLI is very</p> <p>21 informative. Okay? You can get all that information</p> <p>22 from CLI.</p> <p>23 So those are the things that industry expects a</p> <p>24 common-line interface to have. Okay? And Cisco CLI is</p> <p>25 being used as the bar to match when people talk about</p> <p style="text-align: right;">Page 196</p>
<p>1 A Probably when I joined Cisco, so '98, '99, 2000.</p> <p>2 That will be the time.</p> <p>3 Q And you mentioned that it would take a couple</p> <p>4 weeks to -- to work on the structure or syntax of the</p> <p>5 command.</p> <p>6 Do you consider many different alternative</p> <p>7 structures during those couple weeks?</p> <p>8 A Yeah. That -- this is the whole process, where</p> <p>9 you come up with a CLI command. You review it with a</p> <p>10 whole set of group. You sometimes may even talk to the</p> <p>11 customer saying, "Does this make sense or not?" And</p> <p>12 then you go back and update based on the feedback.</p> <p>13 Q And you mentioned, when Mr. Silbert asked you</p> <p>14 about make sure that the words are such that they are</p> <p>15 self-explanatory, what did you mean by that?</p> <p>16 A You want to use the words where customer doesn't</p> <p>17 have to go through and read a dictionary to say what</p> <p>18 does that word mean. So we want to make sure that they</p> <p>19 are coming from vocabulary which networking users use</p> <p>20 day in and day out, so you want to use very known,</p> <p>21 familiar words.</p> <p>22 Q Did you recall that you ever proposed any words</p> <p>23 and then other words were substituted in after review</p> <p>24 within Cisco?</p> <p>25 A I really don't remember, but I know that when</p> <p style="text-align: right;">Page 195</p>	<p>1 the CLI or other customer -- other competitors' CLI.</p> <p>2 MR. JAFFE: Okay. I don't have any further</p> <p>3 questions.</p> <p>4 MR. SILBERT: Nothing further.</p> <p>5 THE VIDEOGRAPHER: This is the end of today's</p> <p>6 deposition of Mr. Pradeep Kathail.</p> <p>7 We are off the record at 3:38 p.m. and the total</p> <p>8 number of media used was three and it will be retained</p> <p>9 by Veritext. Thank you.</p> <p>10 (Recess taken.)</p> <p>11 MR. JAFFE: We are back on the record just</p> <p>12 briefly so I can specify that the witness reserves his</p> <p>13 right to read and sign.</p> <p>14 (TIME NOTED: 3:39 P.M.)</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 197</p>

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1 I, PRADEEP KUMAR KATHAIL, do hereby declare
 2 under penalty of perjury that I have read the foregoing
 3 transcript; that I have made any corrections as appear
 4 noted, in ink, initialed by me, or attached hereto; that
 5 my testimony as contained herein, as corrected, is true
 6 and correct.

7 EXECUTED this ____ day of _____,
 8 2016, at _____,
 9 (City) (State)

10

11

12 PRADEEP KUMAR KATHAIL

13 VOLUME 1

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3

4 I, the undersigned, a Certified Shorthand
 5 Reporter of the State of California, do hereby certify:

6 That the foregoing proceedings were taken before
 7 me at the time and place herein set forth; that any
 8 witnesses in the foregoing proceedings, prior to
 9 testifying, were placed under oath; that a verbatim
 10 record of the proceedings was made by me using machine
 11 shorthand which was thereafter transcribed under my
 12 direction; further, that the foregoing is an accurate
 13 transcription thereof.

14 I further certify that I am neither financially
 15 interested in the action nor a relative or employee of
 16 any attorney or any of the parties.

17 IN WITNESS WHEREOF, I have this date subscribed
 18 my name.

19

20 Dated: 06/06/2016

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RACHEL FERRIER

CSR No. 6948

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